UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,368	01/16/2002	Mark E. Kovack	JWM 2 0149	5740

7590   05/24/2004

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EXAMINER
ORTIZ, BELIX M

ART UNIT	PAPER NUMBER
2175	4

DATE MAILED: 05/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	10/050,368	KOVACK, MARK E.
	Examiner	**Art Unit**
	Belix M. Ortiz	2175

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date *2*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____ .

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because of the following

informalities:

Abstract contains more than 150 words. Correction is required. See MPEP

§ 608.01(b).

2. Applicant is reminded of the proper language and format for an abstract of the
disclosure.

   The abstract should be in narrative form and generally limited to a single
paragraph on a separate sheet within the range of 50 to 150 words. It is
important that the abstract not exceed 150 words in length since the space
provided for the abstract on the computer tape used by the printer is limited. The
form and legal phraseology often used in patent claims, such as "means" and
"said," should be avoided. The abstract should describe the disclosure
sufficiently to assist readers in deciding whether there is a need for consulting the
full patent text for details.

   The language should be clear and concise and should not repeat
information given in the title. It should avoid using phrases which can be implied,
such as, "The disclosure concerns," "The disclosure defined by this invention,"
"The disclosure describes," etc.

3. The specification is objected to because the arrangement of the disclosed

application does not conform with 37 CFR 1.77(b).

   Section headings appear in bold, underlined and in lower case format

throughout the disclosed specification. Section heading should not be bold faced,

underlined and should appear in uppercase format. Appropriate corrections are

required based on the guidelines provided below:

4. The following guidelines illustrate the preferred layout for the specification of a
    utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should
include the following sections in order. Each of the lettered items should appear
in upper case, without underlining or bold type, as a section heading. If no text
follows the section heading, the phrase "Not Applicable" should follow the section
heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
       DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
       COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer
       program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)),
       and tables having more than 50 pages of text are permitted to be
       submitted on compact discs.) or
       REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
       "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
       (1) Field of the Invention.
       (2) Description of Related Art including information disclosed under 37
       CFR 1.97 and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.
(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A
       "Sequence Listing" is required on paper if the application discloses a
       nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if
       the required "Sequence Listing" is not submitted as an electronic
       document on compact disc).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-4 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Dasan (U.S. patent 5,761,662).

As to claim 1, Dasan teaches a method for generating an interactive enhanced electronic newspaper file (see column 1, lines 13-15), the method comprising:

a) receiving input data in a select input data format that represents a current page of a corresponding hardcopy newspaper, the current page having a predefined page type selected from one of a plurality of different page types (see figure 3 character "324" and column 8, lines 4-11);

b) parsing the input data to extract therefrom page information data that represent a general layout of the current page of the corresponding hardcopy newspaper (see column 2, lines 14-18 and column 8, lines 15-19);

c) storing the page information data extracted from the input data in a current page information database (see column 2, lines 24-28; column 2, lines42-45; and column 6, lines 1-4);

d) selecting one of a plurality of different predefined page information databases that correspond respectively to the plurality of different page types

based upon the predefined page type (see column 2, lines 24-28 and column 6, lines 11-18);

e) deriving a preprocess file for the current page using data from the current page information database and data from the select one of the plurality of different predefined page type information databases, the preprocess file defining the general layout that corresponds to the current page of the corresponding hardcopy newspaper and defining at least select portions of the layout to be links that are active and selectable by an end user when the current page output data file is displayed to an end user on a computer display terminal (see figure 3, character "324"; column 2, lines 42-45; column 4, lines 8-13; column 5, lines 8-11; and column 8, lines 4-19);

f) inputting the preprocess file and the input data that represents the current page of the corresponding hardcopy newspaper into an interpreter that generates a current page output data file that defines the current page of the corresponding hardcopy newspaper according to the layout and in terms of a select output data format different from the input data format, the current page output data file including output data that are associated with the links so as to be active and selectable by an end user when the current page output data file is displayed to an end user on a computer display terminal to link the current page output data file (see column 6, lines 20-35) to one of: (i) another output data file (see figure 3; column 5, lines 8-11; column 8, lines 4-11; and column 8, lines 15-

21); (ii) a supplemental data file (see figure 3; column 4, lines 58-67; column 5, lines 1-3); and, (iii) an auxiliary process (see figure 2);

g) storing the current page output data file (see figure 3); and,

h) repeating steps a) through g) for all pages of the hardcopy newspaper to generate and store a plurality of current page output data files (see figure 3; figure 7; and figure 9).

As to claim 2, <u>Dasan</u> teaches the method further comprising, after step h): combining the plurality of different current page output data files into a single combined data output file (see figure 4, character "400"; figure 7; and figure 9).

As to claim 3, <u>Dasan</u> teaches the method further comprising: storing the single combined data output file on one of a CD-ROM and a computer server for access by end-users (see column 4, lines 58-67 and column 5 lines 1-3).

As to claim 4, <u>Dasan</u> teaches wherein the step of parsing the input data to extract page information data comprises extracting at least two of: (i) text data (see column 6, lines 61-62 and column 7, lines 61-65); (ii) text position data (see column 9, lines 34-35); (iii) font information data; (iv) image position and size data (see column 5, lines 11-14); and, (v) bitmap data that define a bitmap of the current page of the corresponding hardcopy newspaper.

As to claim 18, <u>Dasan</u> teaches a method comprising:

defining a newspaper page in an input data file having a first data format;

extracting from the input data file at least a plurality of: text data (see

column 6, lines 61-62 and column 7, lines 61-65); text position data (see column

9, lines 34-35); font information data; image position and size data (see column

5, lines 11-14); page refer data (see column 8, lines 15-21); URL data; e-mail

data; story location data (see column 6, lines 23-25; column 6, lines 32-34; and

column 8, lines 5-11); and, advertisement location data (see figure 4 and figure

6);

storing the extracted data in a current page information database (see

column 2, lines 24-28; column 2, lines42-45; and column 6, lines 1-4);

selecting one of a plurality of predefined page type information databases

that respectively include data that relate to particular page types (see column 2,

lines 24-28 and column 6, lines 11-18);

using data from both the current page information database and the

selected predefined page type information database to define a template file of

the newspaper page (see column 1, lines 17-28); and,

generating an output data file having a second data format that is different

from the first data format by converting a copy of the input data file to the second

data format based upon the template file, the template file defining at least one

link in the output data file that links data of the output data file to at least one of: a

related output data file; a supplemental data file; and, an auxiliary process (see

figure 2; figure 3; column 4, lines 58-67; column 5, lines 1-3; column 5, lines 8-

11; and column 8, lines 4-11).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 5-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dasan (U.S. patent 5,761,662) in view of Rowe et al. (U.S. patent 5,860,074).

As to claim 5, Dasan teaches wherein the step of parsing the input data to

extract page information data comprises extracting (see column 2, lines 14-18

and column 8, lines 15-19): (i) text data (see column 6, lines 61-62 and column 7,

lines 61-65); (ii) text position data (see column 9, lines 34-35).

Dasan does not teach (iii) font information data; and, (iv) image position

and size data.

Rowe et al. teaches a method and apparatus for displaying an electronic

document with text over object (see abstract) in which he teaches (iii) font

information data (see abstract and column 2, lines 53-59); and, (iv) image

position and size data (see figure 8, character "192" and column 3, lines 52-61).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan, to include (iii) font information data; and, (iv) image position and size data.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan by the teaching of Rowe et al., because font information data; and, image position and size data, would enable the method of "obtaining the desired font for use on the computer with the display device, and redrawing with the desired font the area of display in which the substitute font had been used initially. In another aspect, the method includes reading font description metrics for the desired font and using them to create a substitute font" (see column 5, lines 41-54).

As to claim 6, Dasan as modified teaches wherein the step of parsing the input data to extract page information data further comprises extracting (see Dasan, column 2, lines 24-28; column 2, lines42-45; and column 6, lines 1-4): (v) bitmap data that define a bitmap of the current page of the corresponding hardcopy newspaper (see Rowe et al., column 5, lines 1-16).

As to claim 7, Dasan as modified teaches wherein the step e) of deriving a preprocess file (see Dasan, figure 3, character "324"; column 2, lines 42-45; column 5, lines 8-11; and column 8, lines 4-19) comprises:

processing the extracted page information data to locate a presence and a location of select page definition information on the current page of the

corresponding hardcopy newspaper (see Dasan, column 2, lines 14-18 and column 8, lines 15-19).

As to claim 8, Dasan as modified teaches wherein the select page definition data identified and located by the step of processing the extracted page information data (see Dasan, column 2, lines 24-28 and column 6, lines 11-18) comprises at least a plurality of: (i) refer text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see Dasan, column 8, lines 15-21); (ii) headline text that introduces a story (see Dasan, column 1, lines 42-45); (iii) URL text that defines a URL for a web site (see Dasan, column 6, lines 23-25); (iv) e-mail address text that defines an e-mail address (see Dasan, column 6, lines 32-35); (v) word location data that define a location for each word of text on the current page of the corresponding hardcopy newspaper (see Dasan, figure 8); (vi) character location data that define a location for each constituent character of each of the words of text on the current page of the corresponding hardcopy newspaper (see Dasan, figure 7 and figure 8); (vii) headline font data that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper (see Rowe et al., column 40, lines 7-14); and, (viii) refer fort data that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see Rowe et al., column 3, lines 56-61 and column 4, lines 55-57).

As to claim 9, <u>Dasan</u> as modified teaches wherein the select page definition data identified and located by the step of processing the extracted page information data (see <u>Dasan</u>, column 2, lines 24-28 and column 6, lines 11-18) comprises: (i) refer text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see <u>Dasan</u>, column 8, lines 15-21); (ii) headline text that introduces a story (see <u>Dasan</u>, column 1, lines 42-45); (iii) URL text that defines a URL for a web site (see <u>Dasan</u>, column 6, lines 23-25); (iv) e-mail address text that defines an e-mail address (see <u>Dasan</u>, column 6, lines 32-35); (v) word location data that define a location for each word of text on the current page of the corresponding hardcopy newspaper (see <u>Dasan</u>, figure 8); (vi) character location data that define a location for each constituent character of each of the words of text on the current page of the corresponding hardcopy newspaper (see <u>Dasan</u>, figure 7 and figure 8); (vii) headline font data that facilitate identification of headlines on the current page of the corresponding hardcopy newspaper (see <u>Rowe et al.</u>, column 40, lines 7-14); and, (viii) refer font data that indicate a presence of text that refers a reader to a page other than the current page of the corresponding hardcopy newspaper (see <u>Rowe et al.</u>, column 3, lines 56-61 and column 4, lines 55-57).

As to claim 10, <u>Dasan</u> as modified teaches wherein the links defined by the preprocess file comprise links associated with at least the refer text, the URL text and the e-mail address text (see <u>Dasan</u>, figure 2, figure 4 and figure 11).

As to claim 11, <u>Dasan</u> as modified teaches the method further comprising:

using the headline font data to derive story location data that define locations of

stories on the current page of the corresponding hardcopy newspaper (see <u>Rowe</u>

<u>et al.</u>, column 40, lines 7-14).

As to claim 12, <u>Dasan</u> as modified teaches wherein the step of deriving

story location data comprises:

identifying a font that indicates a story headline (see <u>Rowe et al.</u>, figure

13a);

identifying a font used for story text (see <u>Rowe et al.</u>, figure 13a); and,

identifying a change of font between the story text and a subsequent

headline (see <u>Rowe et al.</u>, column 33, lines 29-36).

As to claim 13, <u>Dasan</u> as modified teaches wherein the select input data

format is Adobe PostScript, the select output data format is Adobe portable

document format (PDF) and the preprocess file is a PDFmark file (see <u>Rowe et</u>

<u>al.</u>, column 1, lines 55-66).

As to claim 14, <u>Dasan</u> as modified teaches wherein the step f) inputting

the preprocess file and the input data into an interpreter comprises inputting the

preprocess file and the input data into an Adobe Acrobat Distiller interpreter

program (see <u>Rowe et al.</u>, column 1, lines 55-61).

As to claim 15, <u>Dasan</u> as modified teaches wherein:

the refer text links the current page output data file to another output data

file to be displayed to an end user (see <u>Dasan</u>, figure 3 and column 8, lines 15-

21);

the URL text links the current page output data file to a web browser (see

<u>Dasan</u>, figure 2 and column 6, lines 23-25); and,

the e-mail address text links the current page output data file to an e-mail

program (see <u>Dasan</u>, figure 4; figure 11; and column 6, lines 32-35).

As to claim 16, <u>Dasan</u> as modified teaches the method further comprising:

storing supplemental image data that relate to image data that define an

image of the current page output data, wherein the links defined by the

preprocess file further comprise a link that is associated with the image of the

current page output data, whereby the supplemental image data are displayed to

an end user when the end user selects the image of the current page output data

file (see <u>Rowe et al.</u>, column 33, lines 42-52).

As to claim 17, <u>Dasan</u> as modified teaches wherein the select page

definition data identified and located by the step of processing the extracted page

information data comprises at least one advertisement, and wherein the links

defined by the preprocess file comprise a link to the advertisement, the method

further comprising associating a URL with the at least one advertisement

whereby an end user navigates to the IJRL that is associated with the

advertisement when the advertisement is selected (see Dasan, figure 11 and

column 6, lines 20-30).

9. Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Dasan (U.S. patent 5,761,662) in view of Kubota et al. (U.S. patent 5,754,172).

As to claim 19, Dasan does not teach wherein the supplemental data file

comprises at least one of a digital image data file and an audio data file that

relates to information represented by the output data file.

Kubota et al. teaches a system and method for data publication through

web pages (see abstract), in which he teaches wherein the supplemental data

file comprises at least one of a digital image data file and an audio data file that

relates to information represented by the output data file (see column 5, lines 18-

24).

Therefore, it would have been obvious to a person having ordinary

skill in the art at the time the invention was made to have modified Dasan, to

include wherein the supplemental data file comprises at least one of a digital

image data file and an audio data file that relates to information represented by

the output data file.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Dasan by the teaching of Kubota et al., because wherein the supplemental data file comprises at least one of a digital image data file and an audio data file that relates to information represented by the output data file, would enable the method to includes all actions necessary to render at least a portion of the information on the web page available to the computer user. As such, the phrase includes, but is not limited to, the static visual display of static graphical information, the audible production of audio information, the animal visual display of animation and the visual display of video stream data, make the use of the electronic newspaper easier to the user.

As to claim 20, Dasan as modified teaches wherein the auxiliary process comprises one of a web-browser and an electronic mail program (see Dasan, figure 2 and figure 6).

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Belix M. Ortiz whose telephone number is 703-305-7605. The examiner can normally be reached on moday-friday 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax

phone number for the organization where this application or proceeding is

assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application

or proceeding should be directed to the receptionist whose telephone number is

703-305-3900.

bmo

May 10, 2004.

SAM RIMELL
PRIMARY EXAMINER